

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America)

-01 Christian Hernandez, YOB: 1992, COC: US)
-02 Edgar Humberto Salinas, YOB: 1988, COC: US)

Case No. 7:19-MJ-0722

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 29, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 United States Code § 554

Did knowingly and willfully attempt to export or send from the United States, any merchandise, article, or object, to wit: approximately 4,380 rounds of 7.62X39mm caliber ammunition, contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on March 30, 2019.

✓ Continued on the attached sheet.

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

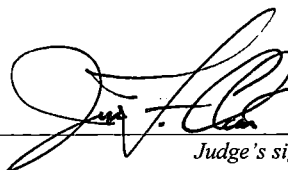
/S/ Gerardo Mercado

Complainant's signature

Gerardo Mercado, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/30/2019 @ 1:08 p.m.City and state: McAllen, Texas

Judge's signature

Juan F. Alanis, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

- I. On or about March 29, 2019, U.S. Customs and Border Protection Officers (CBPOs) referred a green Chevrolet Equinox (hereinafter referred to as “**Subject Vehicle**”) for an outbound inspection as the Subject Vehicle attempted to exit the United States into Mexico via the Hidalgo Port of Entry (Hidalgo, Texas POE) in Hidalgo, Texas. The CBPOs later identified the driver of the Subject Vehicle as Christian **HERNANDEZ** and the passenger as Edgar Humberto **SALINAS**.
- II. At the outbound inspection area, **HERNANDEZ** and **SALINAS** provided CBPOs with a negative customs declaration. During the outbound inspection, CBPOs discovered approximately 4,380 rounds of 7.62X39mm ammunition concealed within a natural void of the Subject Vehicle’s rear compartment area.
- III. At the Hidalgo, Texas POE, HSI/CBPO Agents advised **HERNANDEZ** and **SALINAS** of their Miranda rights and both stated they understood their rights and agreed to speak with HSI/CBPO Agents. **SALINAS** acknowledged purchasing a significant amount of 7.62X39mm ammunition near Weslaco, Texas hours prior to being detained at the Hidalgo, Texas POE. **SALINAS** indicated he was aware it was unlawful to smuggle ammunition from the United States into Mexico. **HERNANDEZ** admitted to loading and concealing the 7.62X39mm ammunition within the Subject Vehicle at an undisclosed location. **HERNANDEZ** admitted he was aware it was unlawful to smuggle ammunition from the United States into Mexico.

ATTACHMENT A

- IV. According to the U.S. Department of State, Office of Defense Trade Controls Compliance (DTCC), the ammunition discovered concealed within the Subject Vehicle are determined to being defense articles described on the United States Munitions List (USML) and regulated for export pursuant to the Arms Export Control Act (Title 22, United States Code, 2778).